

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	No. 2:19-cv-00009
v.)	JUDGE TRAUGER
)	
OAKLEY PHARMACY, INC., d/b/a)	
DALE HOLLOW PHARMACY;)	
)	
Defendants.)	

**JOINT CONSENT MOTION FOR ENTRY OF
A PRELIMINARY INJUNCTION AGAINST DEFENDANT MICHAEL GRIFFITH**

Plaintiff United States and Defendant Michael Griffith jointly move the Court to enter a preliminary injunction order against Griffith under Federal Rule of Civil Procedure 65(a) and the Controlled Substances Act, 21 U.S.C. §§ 843(f) and 882(a). As grounds for this consent motion, these parties state the following:

1. On February 7, 2019, this Court entered a temporary restraining order (TRO) against all Defendants, including Defendant Griffith (“Griffith”), under Federal Rule of Civil Procedure 65(b), Local Rule 65.01, and the Controlled Substances Act, 21 U.S.C. § 843(f) and 882(a). *See* Doc. No. 10.
2. On February 21, 2019, this Court extended the terms of the TRO “until the Court rules on the request for a preliminary injunction.” Doc. No. 37.
3. Griffith and his counsel agree to have the Court extend the TRO that is currently in effect against him through the date when this Court renders a decision on the merits.
4. A proposed order converting the TRO into a preliminary injunction for Griffith is attached for the Court’s consideration.

5. If the Court enters the above order, the United States submits that it would be unnecessary for Griffith and his counsel to attend the hearing that is currently scheduled for March 27, 2019 on the preliminary injunction motion.

Respectfully submitted,

For the United States:

DONALD Q. COCHRAN
UNITED STATES ATTORNEY
Middle District of Tennessee

By: s/ Ellen Bowden McIntyre
ELLEN BOWDEN MCINTYRE (BPR #023133)
Assistant United States Attorney
110 Ninth Avenue South, Suite A-961
Nashville, Tennessee 37203
Telephone: (615) 736-5151
ellen.bowden2@usdoj.gov

JOSEPH H. HUNT
Assistant Attorney General,
Civil Division

By: s/ Ross Goldstein
JILL FURMAN
ROSS GOLDSTEIN
DONALD R. LORENZEN
U.S. Department of Justice
Civil Division
Consumer Protection Branch
P.O. Box 386
Washington, DC 20044
Tel: (202) 514-9401
ross.goldstein@usdoj.gov

For Defendant Michael Griffith:

By: s/ Jennifer Weaver
JENNIFER WEAVER
L. Wells Trompeter
Waller Lansden Dorth & Davis, LLP
511 Union Street, Suite 2700
Nashville, TN 37219
jenniferweaver@wallerlaw.com
wellstrompeter@wallerlaw.com

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served on the parties below via the U.S. District Court's ECF system, if registered. A service copy was also served via First Class U.S. Mail, postage prepaid, and/or via email, on March 8, 2019, to the following:

Peter J. Strianse

Tune, Entrekin & White, P.C.
315 Deaderick Street
Suite 1700
Nashville, TN 37238
(615) 244-2770
Email: pstrianse@tewlawfirm.com

James Dale White, Jr.

101 Green Street
P.O. Box 333
Celina, TN 38551
(931) 243-3535
Email: jdwhite@info-ed.com
*Attorneys for Oakley Pharmacy, Inc., Xpress Pharmacy of Clay County, LLC;
Thomas Weir*

Jennifer Weaver

L. Wells Trompeter

Waller Lansden Dorth & Davis, LLP
511 Union Street, Suite 2700
Nashville, TN 37219
Email: jenniferweaver@wallerlaw.com
Email: wellstrompeter@wallerlaw.com
Attorneys for Michael Griffith

Michael R. Giaimo

Chaffin, Chaffin & Giaimo
204 N. Washington Avenue
Cookeville, TN 38501
(931) 372-7515
Email: mrghaiamo@yahoo.com
Attorney for John Polston

LARRY LARKIN
9713 Tallahassee Drive
Knoxville, TN 37923-1936
Email: oularkin@att.net

s/ Ellen Bowden McIntyre
ELLEN BONDEN MCINTYRE
Assistant United States Attorne